

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

THOMAS LAUGHNER,

Plaintiff,

V.

DAN NIVINS, et al.,

Defendants.

4:07CV3060

MEMORANDUM AND ORDER

This matter is before the court on Plaintiff's Motion for Information, in which Plaintiff requests that the court inform him of the status of this matter. ([Filing No. 58.](#)) Plaintiff also sent a letter to the court which states that he did not receive the previous correspondence from the court, including the Text-Only Order granting his Motion for Extension of Time. ([Filing No. 59.](#))

The court granted Plaintiff's Motion for Extension of Time on April 28, 2008 and sent to Plaintiff a copy of the Text-Only Order on that date. (Filing No. 56, Text-Only Order.) On June 4, 2008, the court received and processed Plaintiff's address change. ([Filing No. 57.](#)) Thus, after reviewing the record in this matter, the court cannot determine why Plaintiff did not receive copies of correspondence from the court. Regardless of the reason, and on the court's own motion, Plaintiff shall have an additional 30 days to respond to Defendants' Motion to Dismiss ([filing no. 45](#)) and Motion for Summary Judgment ([filing no. 47](#)). However, because Defendants' Motions have been pending for five months and Plaintiff has been given several extensions of time to respond, **no further extensions of time will be permitted.**

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion for Information ([filing no. 58](#)) is granted to the extent that this Memorandum and Order informs Plaintiff of the status of this matter.

2. Plaintiff shall have until October 6, 2008 to file a response to Defendants' Motion to Dismiss and Motion for Summary Judgment. **No further extensions of time will be permitted.**

3. Plaintiff's Motion to Compel Service ([filing no. 53](#)) is denied as moot.

4. The Clerk of court is directed to set a pro se case management deadline in this case using the following text: October 6, 2008: deadline for Plaintiff to respond to Motion to Dismiss and Motion for Summary Judgment.

5. Plaintiff shall keep the court informed of his current address at all times while this case is pending. **Failure to do so may result in dismissal without further notice.**

September 3, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge